

Report of the Director of Planning & Community Services Group

Address 43 OAK AVENUE ICKENHAM

Development: Erection of a two storey side extension, part two storey, part single storey rear extension, alterations to front porch, conversion of the roofspace to provide habitable accommodation involving raising the roof and the installation of two rear dormer windows and 2 side rooflights, new window to first floor side (involving demolition of the side garage and rear conservatory)

LBH Ref Nos: 64104/APP/2009/1261

Drawing Nos: Flood Risk Matrix
203
001
204
002
205

Date Plans Received: 11/06/2009

Date(s) of Amendment(s):

Date Application Valid: 24/06/2009

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the south west side of Oak Avenue and comprises a two storey detached house with a single storey side garage and rear conservatory. To the north west lies No. 45 Oak Avenue, a two storey detached house with side and rear extensions, and to the south east lies No. 41 Oak Avenue, a detached bungalow. The street scene is residential in character and appearance comprising a mix of detached houses and bungalows and the application site lies within the 'developed area' as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007). The application site is also covered by TPO 514.

1.2 Proposed Scheme

The originally approved scheme (64106/APP/2008/2404) proposed a two storey side extension (involving the demolition of the existing side garage), measuring 3.45m wide and 5.1m deep, aligning with the rear wall of the application property, and finished with a hipped roof set 0.3m below the roof ridge. A bay window was proposed on the first floor front elevation above the new garage door.

The proposed part two storey rear extension was set flush with the flank wall facing No. 45 Oak Avenue. It measured 7m wide and 3.2m deep and involved the demolition of the rear conservatory. The proposed rear conservatory was attached to the inner flank wall of the proposed part two storey rear extension. It measured 7m wide, set flush with the flank wall facing No. 41 Oak Avenue, 3.6m deep along the flank wall facing that property, measured from the first floor rear wall of the two storey side extension, projecting 0.7m beyond the rear wall of the proposed part two storey rear extension, and was finished with a mono-pitched roof, 2.5m high at eaves level and 3.4m high at its highest point.

A first floor glazed extension was proposed above the rear conservatory. It measured 3.3m wide and 1.3m deep, set 3.4m from the flank wall facing 41 Oak Avenue. The main roof was raised, from 2.85m to 3.2m measured from the roof eaves, and extended over the proposed two storey side and part two storey rear extensions, with the exception of the small area of flat roof over the first floor glazed rear extension. That flat roof matched the eaves of the new roof. The enlarged roof also included a front gable roof over the two storey side extension, and incorporated a flat roof element over part of the proposed two storey rear extension.

The front porch measured 2.5m wide, 1.2m deep and was finished with a hipped/pitched roof 3m high at eaves level and 3.9m high at its highest point. The rear dormer window in the main rear roofslope measured 1.1m wide, 1.4m deep and was finished with a flat roof 1.3m high. The rear windows comprised large clear panes of glass, particularly at rear first floor level which comprised a predominantly glazed rear elevation. Rooflights were proposed in the rear roofslope and the side roofslope facing No. 45 Oak Avenue. A new decking area was also proposed along the side of the property facing No. 41 Oak Avenue and immediately to the rear of the proposed rear extensions.

The previously refused scheme (64106/APP/2009/100) proposed the following amendments to the originally approved scheme:

- (i) raising of the roof ridge of the proposed two storey side extension,
- (ii) increasing the depth of projection of the first floor of the proposed two storey side extension,
- (iii) replacing the rear rooflight with a dormer window, and
- (iv) installation of a high level triangular rooflight facing No. 41 Oak Avenue.

The proposed two storey side/rear extension measured 3.45m wide and 5.8m deep (a 0.7m deep increase), projecting 0.7m beyond the rear wall of the original house, and finished with a hipped roof matching the ridge of the original house. The proposed dormer retained gaps of 2.5m to the edge, 1.2m to the eaves and 0.45m to the ridge of the roof. The high level triangular rooflight was proposed immediately below the raised ridge in the roofslope facing No. 41 Oak Avenue. The proposed rear dormer window was located on the rear roofslope of the original house. It measured 1.05m wide, 1.3m deep and finished with a flat roof 1.5m high. The remainder of the scheme was as per the originally approved scheme.

This current application attempts to overcome the reason for refusal of the previous scheme by reducing the length of projection of the first element of the two storey side extension. It would now measure 5.3m deep (some 0.2m deeper than the originally approved scheme and 0.5m less than the previously refused scheme). The mono-pitched roof of the proposed conservatory would be replaced with a part flat, part mono-pitched roof measuring 2.5m high at eaves level and 3.2m high at its highest point. The glazed first floor extension would now sit above this flat roof element and would be identical in size to that which was previously approved (measuring 3.3m wide and 1.3m deep, set 3.4m from the flank wall facing 41 Oak Avenue.) The main roof would now overhang beyond the rear wall of the two storey side extension. There is also an increase in the overhang of the main roof between the front gables.

The proposed rear dormer windows have slightly increased in size. The rear dormer window over the two storey rear extension would now measure 1.6m wide, 1.8m deep and finished with a flat roof 1.8m wide with an overall height of 1.75m high. It would retain gaps

of 1m to the eaves, 0.4m to the edges and 0.45m to the roof ridge.

The proposed rear dormer over the main roof would now measure 1.3m wide, 1.6m deep and finished with a flat roof 1.5m wide, with an overall height of 1.55m. It would retain gaps of over 1m to the eaves and edge and 0.45m to the roof ridge. The ground floor side kitchen window facing 45 Oak Avenue has been relocated rearwards along that flank wall.

The remainder of the scheme is as per the previously approved scheme.

1.3 Relevant Planning History

64104/APP/2008/2404 43 Oak Avenue Ickenham

The erection of a two storey side extension, front porch, part two storey rear extension and rear conservatory, decking, and conversion of the roofspace to provide habitable accommodation involving raising the roof and the installation of two rear dormer windows and three rooflights (involving demolition of the side garage and rear conservatory).

Decision Date: 07-01-2009 **Approved** **Appeal:**

64104/APP/2009/100 43 Oak Avenue Ickenham

The erection of a two storey side/rear extension, front porch, part two storey rear extension and rear conservatory, decking, and conversion of the roofspace to provide habitable accommodation involving raising the roof and the installation of two rear dormer windows and three rooflights (involving demolition of the side garage and rear conservatory).

Decision Date: 22-04-2009 **Refused** **Appeal:**

Comment on Planning History

Please see paragraphs 1.2 and 1.3 above.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

EXTERNAL:

15 adjoining owner/occupiers and the Ickenham Residents' Association (2 Groups) and the Parkfield Road/Oak Avenue Petition Group have been consulted. 1 letter of objection and a petition with 34 signatures have been received.

Letter of objection:

(i) The two flank wall of the two storey side extension has been increased compared to the previously approved scheme and would now block sunlight to and would have an overdominant impact on the residential amenities of the occupiers of 41 Oak Avenue when viewed from the flank habitable room window at that property.

(ii) The rear dormers would still overlook the outdoor living area of 41 Oak Avenue;

(iii) The rooflight would result in direct overlooking into the habitable room flank window at 41 Oak Avenue

Petition:

We the undersigned oppose the above planning application on the grounds of the following

1. The extension above the garage and the proposed length to which it will extend (it will exceed the current depth of the existing house); the proposal of building the garage wall closer to the boundary with No. 41 and raising of the roof. These will have an adverse affect on the main habitable room (living room) of No. 41, a bungalow. This room relies on a small window - they would be directly facing an expanse of brick wall and become thoroughly enclosed as nothing else could be seen. This is unacceptable.
2. The 2 rear dormer windows (three floors up) - these will invade all neighbours secluded outdoor living areas, thereby losing all valued privacy.
3. Increase in the depth of the first floor room above the garage compared to the previously approved scheme.
4. The heightening of the roof compared to the previously approved scheme.

Ickenham Residents' Association:

"Who is wasting whose time here?"

We can see no difference between application 2009/100 (which was refused on 22.04.09) and the above new application, apart from the roof-lights being reduced from 3 to 2 with a new window to first floor side. Other than that, the drawings appear to be the same ones as for the refused application. Application no. 2008/2404 approved on 07.01.09 showed a sub-ordinate extension roof. This being the only difference to the above two applications. The Association is at a loss how your Planning Team can deal with these repeat applications, previously refused and object to this latest application."

INTERNAL:

Trees/Landscape:

No comments have been received relating to this current scheme. However, the comments received in regards to the previous scheme (64104/APP/2009/100) are still relevant and state:

There are several trees on and close to site, however, there is only one protected Silver Birch tree (T14 on TPO 514) on site, located in the south east corner of the front garden.

Appraisal:

'The proposal will result in the loss of a small area of the rear garden space but the footprint will not impact on any trees, protected or otherwise. However, trees (notably the protected Birch) will be vulnerable to accidental damage associated with the building operations -including access, storage of materials and so on. Temporary protective fencing should be installed, to the front and rear, to control the use of the space and protect existing vegetation during construction'.

The existing and proposed site plans (no's. 006C and 007) clearly show the position (not spread) and identity of the trees on site and temporary tree protective fencing (in accordance with BS 5837:2005). However, the position of the fencing needs to protect the entire root area/crown spread of trees. Drawing no. 006C and 007 should be revised to accurately show the root protection area/crown spread of the trees, especially the two

Silver Birch trees at the front of the site, which are to be retained. However, this matter can be addressed by tree protection condition (TL3).

Conclusion:

If you are minded to approve this application I have no objection subject to conditions TL2 and TL3.

Environmental Protection Unit:

It appears a former pond may have been located in this area. We have no reason to suspect it was filled with unsuitable material but we would advise the use of the following informative on any permission that may be given as a precaution. An informative persons working on site to take basic precautions in relation to any contamination, is recommended.

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

- | | |
|----------|---|
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE22 | Residential extensions/buildings of two or more storeys. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| HDAS | Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents):
5.0 Side and First Floor Side Extension: Two Storey
7.0 Loft Conversions and Roof Alterations |
| LPP 4A.3 | London Plan Policy 4A.3 - Sustainable Design and Construction. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |

5. MAIN PLANNING ISSUES

The proposed two storey rear extension, single storey rear conservatory, first floor glazed element, new roof height, front porch and side and rear decking are identical in size, siting, scale, bulk, design and appearance to that which formed part of the previously approved scheme. Furthermore, no objections were raised to these elements of the proposal in the previously refused scheme. As such, no objections are raised to these elements of this

current scheme. No. 45 Oak Avenue would not be adversely affected by the proposed amendments as they lie on the opposite side of the application site as compared to the amended elements of the proposal.

The proposed amended scheme has reduced the length of projection of the two storey side extension when compared to the previously refused scheme. It would still integrate satisfactorily with the detached nature of the application property and the proposed two storey side extension would still maintain at least a 1m gap to the side boundary. Therefore, this element of the scheme would not detract from the character of the original house, the street scene and surrounding area, in accordance with policies BE13, BE15, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and sections 5.0 and 6.0 of the Hillingdon Design & Accessibility Statement: 'Residential Extensions'.

The proposed rear dormer windows by reason of their size, siting and design, would still harmonise with the appearance of the enlarged property. They would appear subordinate as they would retain identical gaps between them and the eaves, edges and ridge of the main roof to the previously refused scheme. Although that application was refused, no objections were raised to these elements of the scheme. The additional side rooflight facing No. 41 Oak Avenue is acceptable in design terms. Therefore, these elements of the scheme would accord with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 7.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions.

No. 41 Oak Avenue has a dining room with its only external window facing the application site. A gap of some 6.5m would be retained between the flank wall of the proposed two storey side extension and that flank window. The two storey rear extension has now been reduced in depth so that some of the width of that window would not be directly obscured by the proposed side extension, thereby maintaining the residential amenities of the occupiers of No. 41 Oak Avenue. It is considered that the amended scheme would not now appear unduly dominant, have a visually intrusive impact when viewed for that window or would significantly reduce sunlight to that window. As such, the proposal would overcome the reason for refusal of the previous scheme and would now comply with policies BE19 and BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 5.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions.

The high level side rooflight facing 41 Oak Avenue and the first floor flank ensuite bathroom window can be fitted with obscure glazing to prevent overlooking. The proposal would comply with policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

The proposed rear dormer windows would overlook the rear garden and would not result in an increase in overlooking over and above that from the existing rear first floor windows onto the adjoining properties. The high level rooflight facing No. 41 Oak Avenue can be fitted with obscure glass to mitigate against any perception of overlooking of that property. The proposal would therefore comply with policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

No protected trees will be affected by the proposed development however tree protection measures are recommended. The proposal would comply with policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

With regards to the third party comments, these are addressed in the report.

For the reasons outlined above, and given that the development complies with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) this application is recommended for approval.

6. RECOMMENDATION

APPROVAL subject to the following:

1 HH-T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 HH-M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 HH-MRD4 Single Dwellings Occupation

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

REASON

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 HH-OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 HH-RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 41 and 45 Oak Avenue.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 HH-RPD2 Obscured Glazing and Non-Opening Windows (a)

The first floor ensuite bathroom window facing 45 Oak Avenue and the rooflight facing 41 Oak Avenue shall be glazed with obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 HH-RPD4 Prevention of Balconies / Roof Gardens

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the granting of further specific permission from the Local Planning Authority.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 T3 Time Limit - Tree Works

The works hereby permitted shall be carried out within 2 years of the date of this consent.

REASON

To enable the Local Planning Authority to reconsider the appropriateness of the works in the light of possible changed circumstances.

INFORMATIVES

- 1 There is a small possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

Standard Informatives

- 1 The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it

unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

- 2 The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Policy No.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 5.0 Side and First Floor Side Extension: Two Storey 7.0 Loft Conversions and Roof Alterations
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building

or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -
 - A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays or Bank Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

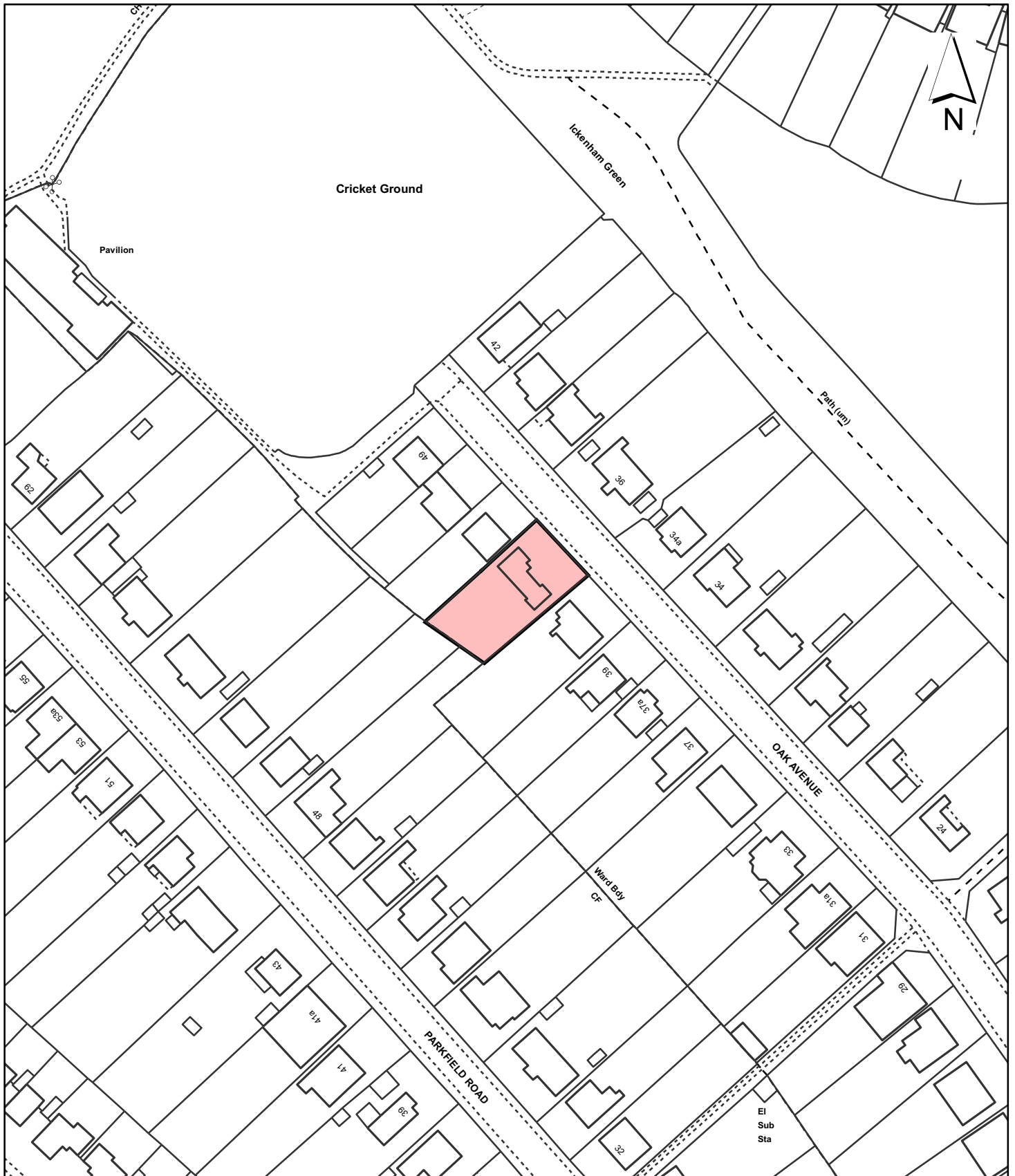
D) No bonfires that create dark smoke or nuisance to local residents.



You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Sonia Bowen

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2009</p>	<p>Site Address</p> <p style="text-align: center;">43 Oak Avenue Ickenham</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Planning & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">64104/APP/2009/1261</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	
	<p>Planning Committee</p> <p style="text-align: center;">North</p>	<p>Date</p> <p style="text-align: center;">September 2009</p>	
		 <p>HILLINGDON LONDON</p>	